

**MAYOR AND CITY COUNCIL
CITY OF SEAT PLEASANT
SPECIAL MEETING
TUESDAY, JANUARY 17, 2012
6:30P.M.**

1. OPENING

1.1.1 Call to Order

Council President Porter called the meeting to order at 6:23p.m.

1.1.2 Roll Call

Present: Mayor Eugene Grant (Absent), Councilmember Darrell Hardy, Councilmember Kelly Porter, Councilmember Gerald R. Raynor, Sr., Councilmember Elenora Simms, Councilmember Aretha Stephenson (Excused), Councilmember Reveral Yeargin

Staff: Vincent E. Jones, City Administrator and Dashaun Lanham, City Clerk

2. PRESENTATIONS:

- None

3. MEETING TOPICS:

- 3.1.1. City Attorney Interviews
- Bregman, Berbert, Schwartz & Gilday, LLC.
- Mr. Bregman stated that he believes in the motto "City of Excellence" as his firm is a firm of excellence. He started the firm in January 1979. He stated that Heather Clathes is an Employment Lawyer, Mark Bergarthen, is experience in Real Estate Law. Carol Green is an expert in Environmental Law and Gwendolyn Allen is expert in Economic Development.
- He stated that he would be the point of contact and is obsessive with returning telephone calls. He teaches at a law schools and that is generally when he is not available, but he always returns telephone calls.
- Carol Green practices Environmental Law and wears her name as badge. She started her environmental career with the Department of Justice. It taught her how to read the law. She started her career in Government and she came to Maryland and was certified as a Minority Business Owner. She follows very carefully with Prince Georges County as they are the leaders in Storm Water.

- Gwen Allen has been with the firm for three years and had experience prior to joining the firm in Economic Development and Urban Planning and Development.
- Mr. Bregman stated that they are general counsel for the Maryland Department of Transportation. He brings to the table Real Estate Law and he saw on our list of needs, Election Law. He has worked in election law.
- The issue of fees is a flat fee across board of \$260 per hour regardless of the attorney involved.
- They are distinguished from other firms because they pride themselves on excellence and meet the needs of their clients. We are community oriented and spent years working with people that could employ us. They brought a case against Governor Ehrlich for pulling money from the budget and they won the case seven to nothing. The case employed the state of Maryland to ensure every child had insurance.
- They have visited the Feggans Center and they have reviewed the minutes and saw the Mayors message concerning the center. They can assist in developing the project.
- They would like to have the opportunity to work with us.
- Councilman Raynor wanted to know his win/lose record. Mr. Bregman stated that his record is excellent. He does not want to say he won every case. He stated that he has lost a case, but won it on appeal.
- His first job was with Judge Diggs in Upper Marlboro and they had an office in Hyattsville for over 25 years and the office recently closed.
- He stated they have very good relationship with the court of appeals
- Councilman Raynor wanted to know the experience in Economic Development. Mr. Bregman stated that they have worked with government and development, bonds and TIEF and they have worked with other ways to bring money to a site. They have put documents together and negotiated the deal. Their approach is collaborative.
- They are working a project around New Carrollton with 46 acres to build. We understand the developers and they like to ensure that the government doesn't get taken advantage of.
- Councilman Raynor wanted to know their experience with annexation. Mr. Bregman stated that he would like to say that he has experience in annexation, but he would need to go back and ask Mark. He has not personally handled annexation.
- Councilman Raynor wanted to know what would be the probability to bringing your office to Seat Pleasant. The possibility of Seat Pleasant bringing Economic

Development to the City will be a benefit to have a law firm here. He stated it was an ad in the Washington Post this past Sunday, which stated that Washington needs to grow up and stop taking the development out into the farm land. He stated that we need to bring it to the city. He feels that it is time to turn it around to bring it back in. Their firm is in their office building and signed a lease in December 1978 and opened in January 1979 and he has been in his office for 32 years. They had an office in Hyattsville for a long, long time. They can consider it.

- Carol stated that she would be enthusiastic about being close to the client, but the commute from Bethesda to Seat Pleasant on the metro did not take long. They arrived here from Bethesda in thirty minutes. She stated that have not given it any thought.
- Councilman Hardy wanted to know how many municipalities does the firm currently represent. Mr. Bregman stated that they do not represent any municipalities, but they work for Montgomery County, the State of Maryland in Transit Oriented Development (Transportation) they have worked for a city, but do not work with a municipality.
- Councilman Hardy wanted to know what will be the first aspect of the City they would take on. Mr. Bregman stated that would come from the Council. He stated they would look at the employment structure and ensure the personnel manual is sufficient. They hope to get the city to the place they do not need lawyers.
- Councilman Yeargin stated that he sees the municipal representation is zero. Mr. Bregman stated that they have done work with City of Rockville, but do not have any municipal government as a client. Councilman Raynor wanted to know if the fee was negotiable. He stated that he is not closed minded. He stated that if they would honor them with a selection and when they get the bill and see anything on there. He would tell you to cross it off the bill. He stated it is not about the money, but the service.
- Councilman Yeargin wanted to know if they produced a newsletter for the client. Mr. Bregman stated that they are client specific we write letters to the client with updated changes. Carol stated that they are updated by e-mail. She stated that she could easily put the names of an individual to provide update.
- Councilman Yeargin wanted to know if he knew the first African American that passed the bar. Mr. Bregman stated he did not know, and Councilman Yeargin informed him it was Douglas Wilder.

- Councilman Porter stated that the council could have more questions later if time permitted. He said that annexation would be helpful and encouraged him to look into his office to see if it is a service that can be provided.
- Mr. Bregman wanted to know the main focus to make a selection on the firms that are being interviewed.
- Councilman Porter stated expertise, fee structure and best representation for our needs. It is not cost based, but due to the budgetary concerns we will need to consider cost.
- Councilman Hardy stated they are bringing the expertise in the area we are most concerned.
- Karpinski, Colaresi & Karp-
- Councilman Porter stated that we pride ourselves as a City of Excellence. We are a small municipality and the gateway into Prince Georges County.
- Mr. Richard Colaresi stated his firm is committed to county, state and local governments, which is eighty percent. He stated that they get a lot of cases from LGIT on elected officials and police suits.
- He stated that he tries not to say you can't do that. He feels that when a municipal government asks a question they are asking how we can do this. It is his job to develop the way.
- They stated their fees are \$140 per hour and \$120 for an associate. They are willing to reduce the rate by \$10 for the first year.
- Skip Cornworth stated that he has been practicing for five years. His experience has been in the Eastern Shore. He has been with the firm for one year. He stated that we represent municipalities on the front end, but we negotiate on the back end.
- Councilman Hardy stated that one of the concerns is Economic Development and wanted to know their expertise in the area. Mr. Colaresi stated that he would want to know if the City of Seat Pleasant had authority and Mr. Jones acknowledge the city does have the authority.
- He stated that Cheverly arrangement was a private public partnership and Hyattsville was more of a Park & Planning aspect.
- Councilman Raynor wanted to know the important issue that the attorney faced in dealing with a municipality. He stated that one of the most is that he is not elected, and wanted to know what the municipality needs are. He stated that he stays objective with the council and staff and is constantly reaching out to them to ensure that he is meeting your needs.

- Councilman Raynor wanted to know what has been their most difficult matter in dealing with a municipality. He stated it has been a number of difficult matters. He stated that he is at a loss. He feels it is the risk that the clients take.
- Councilman Raynor wanted to know his experience on annexation. He stated that he loves annexation and he feels that the city will be poor if they do not annex. He stated that annexation is a great way to find more income for the city and use it to enhance your tools. It is one of the best tools to get through Economic Development and grow.
- Councilman Raynor wanted to know Skip Cornworth area of expertise. Skip stated that his expertise is still being developed. He stated he is working with litigation on land development.
- Councilman Raynor wanted to know if they could assist the city in condemnation. Skip stated that it is a lengthy process, but part of the process is the law is mandated by the State. He stated that a lot of it is staying on top of it. He said they can offer possible solutions for that matter.
- Mr. Jones wanted to know how they would keep the City abreast of changing case laws. Mr. Karpinski stated that it would be how frequently they would want him to present in the City.
- Councilwoman Simms wanted to know how many towns they are representing. Mr. Karpinski stated he represents five currently.
- Councilman Porter wanted to know with working with other municipality would they have an impact in representing the city. We would want to know if we will get premiere service. Mr. Karpinski stated that he does not get any complaints.
- Councilman Porter wanted to know when cities are competing with funding source. How would you differentiate the difference? Mr. Karpinski stated the municipality would direct that. He stated that he has never had a situation that it would be a conflict, as the pot is large. There has never been a conflict in twenty eight years.
- Councilman Porter wanted to know if they had any questions for the council. Mr. Karpinski wanted to know how frequent would they want the counsel at their meetings. Councilman Porter stated that in the past it was only for a hot button issue. He stated that it could be more in the future. Mr. Karpinski stated that the Town of Cheverly wants their attorney in the meetings.
- Councilman Porter wanted to know if they had someone in environmental matters. Mr. Karpinski stated they do not have an environmental attorney employed.

- Councilman Raynor wanted to know if they had someone in Personnel Law. He stated they are the LGIT hotline for employment issues.
- Councilman Raynor wanted to know in his attendance at the Town of Cheverly meetings does residents ask questions. He stated very rarely has a citizen asked him any questions. He stated that they have clarified misunderstandings on Maryland Law.

5. UNFINISHED BUSINESS:

- None

6. ANNOUNCEMENTS

6.1.1. Special Session, City Hall-Council Chambers, Wednesday, January 18, 2012 at 5:30pm

6.1.2. Maryland Consumer Rights Coalition Documentary "Stealing Trust", Thursday, January 19, 2012, 7:00pm, Seat Pleasant City Hall-Council Chambers

6.1.3. Special Session, City Hall-Council Chambers, Friday, January 20, 2012 at 5:30pm

ADJOURN-. The meeting adjourned at 8:07p.m.

Submitted by,


Dashaun N. Lanham
City Clerk